

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

TASHA RATHBUN, *individually and as
personal representative of the Estate of
Scarlett Rose Elmore,*

Plaintiff,

v.

No. 2:22-cv-00053-RB-JHR

DARLA BANNISTER, RN, et al.,

Defendants.

ORDER REGARDING COMMUNICATION WITH THE COURT

On July 13, 2023, the Court received a letter from Plaintiff responding to the Court's Order to Show Cause, [Doc. 53]. Parties may not file documents by mailing or faxing them directly to judges; documents to be filed must be either mailed or delivered in person to the Clerk of Court. Any documents mailed or faxed directly to judges for filing in this case will not be filed.

The Court notifies Plaintiff of the following regarding communications with the Court:

Generally, *pro se* litigants are held to the same standards of professional responsibility as trained attorneys. It is a *pro se* litigant's responsibility to become familiar with and to comply with the *Federal Rules of Civil Procedure* and the *Local Rules of the United States District Court for the District of New Mexico* (the "Local Rules").

Guide for Pro Se Litigants at 4, United States District Court, District of New Mexico (October 2022). The Local Rules, the Guide for Pro Se Litigants and a link to the Federal Rules of Civil Procedure are available on the Court's website: <http://www.nmd.uscourts.gov>.

Attorneys and *pro se* parties are prohibited from all *ex parte* communication with the judge or judge's staff. *Ex parte* communication occurs when one of the parties to a lawsuit exchanges information with the assigned judge (1) without the opposing party being present, or (2) without the knowledge and consent of the opposing party.

Any communication between the assigned judge and a *pro se* litigant should be in

writing, and a copy of the communication should be sent to the opposing party or, if represented, to that party's attorney. The letter to the judge should indicate that a copy has been sent to the opposing party. Telephone or personal contact with the judge's staff should be limited to specific scheduling inquiries.

Guide for Pro Se Litigants at 11–12.

Unless otherwise directed, all communication to the court should be addressed to the Clerk of Court, United States District Court, District of New Mexico, using the address for the division [Albuquerque, Las Cruces or Santa Fe] where the subject case has been assigned.

Guide for Pro Se Litigants at 5 (providing the Albuquerque, Las Cruces and Santa Fe addresses).

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "J. H. Ritter", is written over a horizontal line.

HON. JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE